

In The United States District Court For The  
EASTERN DISTRICT of PENNSYLVANIA

KEVIN MCKEITHER

VS.

THERESA DELBALSO, ETAL

CA# 14-CV-1628

RECEIVED

MAR 25 2015

PETITIONER'S MOTION TO AMEND/ADD, TO OBJECTION  
TO AND FROM THE REPORT AND RECOMMENDATIONS  
BY THE MAGISTRATE.

NOW COMES KEVIN MCKEITHER, PRO SE, who Humbly  
REQUESTS THIS HONORABLE COURT TO GRANT  
PETITIONER'S MOTION TO AMEND PETITIONER'S OBJECTIONS  
DURING PETITIONER'S APPEAL PROCESS, PETITIONER  
AVERS THAT HE WAS DENIED HIS CONSTITUTIONAL  
RIGHTS OF ACCESS TO THE COURTS BY GOVERNMENT  
INTERFERENCE. SEE BOUNDS V. SMITH, 430 U.S. 817,  
97 S. 1491, 52 L. ED. 2D 72 (1977). PETITIONER CLAIMS  
THAT IN FEBRUARY 2011, THE DEPARTMENT OF CORREC-  
TIONS OF PENNSYLVANIA WITHOUT WARNING UP-ROOTED  
PETITIONER AND SENT PETITIONER TO THE STATE OF  
MICHIGAN WHERE PETITIONER WAS DENIED ACCESS  
TO THE COURTS, UPON ARRIVING IN MICHIGAN THEIR  
WAS NO LAW LIBRARY THAT WOULD ALLOW PETITIONER  
TO PROCEED IN THE PENNSYLVANIA COURTS FOR MONTHS.  
THOUGH NOT EXPLICITLY STATED IN BOUNDS, A CLAIM  
BASED ON DENIAL OF ACCESS TO THE COURTS REQUIRES  
THAT THE PLAINTIFF SHOW AN INJURY IN FACT.

LEWIS, 518 U.S. AT 351-52. THIS ACTUAL INJURY COMPONENT OF A DENIAL OF ACCESS TO THE COURTS CLAIM REQUIRES THE PLAINTIFF TO SHOW THAT THE CHALLENGED CONDUCT FRUSTRATED HIS ABILITY TO PURSUE AN APPEAL. PLAINTIFF WAS IN THE APPELLATE STAGE OF CRIMINAL MATTER AT THE TIME, PETITIONER AYER'S THAT BECAUSE OF THE ACTIONS OF THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS HE WAS DEPRIVED AND DENIED ACCESS TO THE COURTS WHICH CONSTITUTED CAUSE AND PREJUDICE.

DATE: 3/22/15

Respectfully Submitted  
Kerion McKeithen

PROOF OF SERVICE

I hereby certify that I am, this day, serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of Pa. R. Crim. P. 577.

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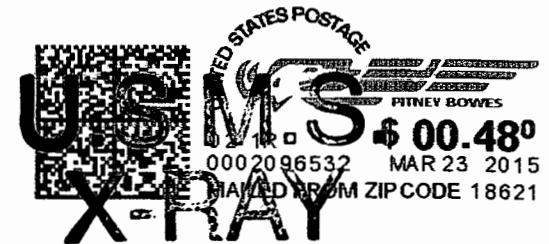
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UNITED STATES DISTRICT COURT EASTERN DISTRICT  
UNITED STATES COURTHOUSE, INDEPENDENCE MALL WEST  
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